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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/691,763 10/18/00 VERTINO

P E0355/7003/E

EXAMINER

HM12/0322

EDWARD R GATES
WOLF GREENFIELD & SACKS PC
600 ATLANTIC AVE
BOSTON MA 02210

GOLDBERG, J

ART UNIT

PAPER NUMBER

1655

DATE MAILED:

03/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

Jeanine Enewold Goldberg

ART UNIT	PAPER
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1655

6

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks


This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanine Enewold Goldberg whose telephone number is (703) 306-5817. The examiner can normally be reached on Monday-Friday from 7:00am- 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones can be reached on (703) 308-1152. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.


W. Gary Jones
Supervisory Patent Examiner
Technology Center 1600

Notice to Comply

Application No.

09/691,763

Examiner

Jeanine Enewold Goldberg

Applicant(s)

VERTINO, PAULA M.

Art Unit

1655

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

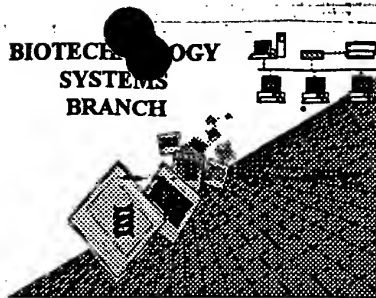
For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



0400

RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/691,763

Source: OIFE

Date Processed by STIC: 10/27/2000

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin30help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER
VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

OIPE

RAW SEQUENCE LISTING DATE: 10/27/2000
 PATENT APPLICATION: US/09/691,763 TIME: 10:01:33

Input Set : A:\E03557003.txt
 Output Set: N:\CRF3\10272000\I691763.raw

Does Not Comply
 Corrected Diskette Needed

4 <110> APPLICANT: Verrill, Paula M.
 6 <120> TITLE OF INVENTION: TMSI Compositions and Methods of Use
 9 <130> FILE REFERENCE: E03557003/EPG/MAT
 11 <140> CURRENT APPLICATION NUMBER: US/09/691,763
 11 <141> CURRENT FILING DATE: 2000-10-18
 11 <150> PRIOR APPLICATION NUMBER: US 60/156,975
 12 <151> PRIOR FILING DATE: 1999-10-18
 14 <160> NUMBER OF SEQ ID NOS: 27
 16 <170> SOFTWARE: FASTA, for Windows Version 3.0

ERRORED SEQUENCES

190 <210> SEQ ID NO: 5 340
 191 <211> LENGTH: 330
 192 <212> TYPE: DNA
 193 <213> ORGANISM: Homo sapiens
 195 <220> FEATURE:
 196 <221> NAME/KEY: CDS
 197 <222> LOCATION: (67)..(339)
 199 <400> SEQUENCE:
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 201 ggagcc atg ggt gac ggt cgc gac ggc atc ctg gat ggc ctg gag gac 100
 202 Met Ala Arg Ala Arg Asp Ala Ile Leu Asp Ala Leu Glu Asn
 203 1 5 10
 205 ctg acc gcc att att ctg aag aag ctg aag ctg aag ctg tgc atg 150
 206 Leu Thr Ala Ala Ile Ile Lys Lys Phe Lys Leu Lys Leu Ser Val
 207 15 20 30
 209 cgg ctg cgc att ttt ttt ttt cgc att cgc cgc ggc aag ctg ctg tcc 204
 210 Pro Leu Arg Ala Ala Ile Ile Arg Ile Pro Arg Gly Ala Leu Leu Ser
 211 35 40 45
 213 atg gac gcc ttt ggt ttt ggc gac aag ctg gtc agc ttc tac ctg gag 252
 214 Met Asp Ala Leu Ile Leu Thr Asp Lys Leu Val Ser Phe Tyr Leu Glu
 215 50 55 60
 217 acc tac gcc ttt ttt ttt ttt ggt aag atg ctg cgc gac atg ggc ctg 300
 218 Thr Tyr Gly Ala Ile Ile Thr Ala Asn Val Leu Arg Asp Met Gly Leu
 219 65 70 75
 221 cag gac atg ggt ttt ctg ctg cag aag gcc aag cgc cag g 310
 222 Glu Glu Met Ala Ile Glu Leu Glu Ala Ala Thr His Glu
 E--> 223 80 85 90

245 <210> SEQ ID NO: 6
 246 <211> LENGTH: 57 (next page)
 247 <212> TYPE: DNA
 248 <213> ORGANISM: Homo sapiens
 250 <220> FEATURE:
 251 <221> NAME/KEY: CDS
 252 <222> LOCATION: (67)..(123)
 (56)

RAW SEQUENCE LISTING
 PATENT APPLICATION: US/09/691,763

DATE: 10/27/2000
 TIME: 10:01:33

Input Set : A:\E03557003.txt
 Output Set: N:\CRF3\10272000\I691763.raw

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254 <400> SEQUENCE: 7
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256 Ser Gly Ala Ala Pro Ala Gly Ile Gln Ala Pro Pro Gln Ser Ala
257 1 5 10 15
259 gcc aag cca g 57
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685 <210> SEQ ID NO: 26
686 <211> LENGTH: 405
687 <212> TYPE: DNA
688 <213> ORGANISM: Homo Sapiens
690 <220> FEATURE:
691 <221> NAME/KEY: CDS
692 <222> LOCATION: (75) ..(404)
693 <400> SEQUENCE: 26
695 ccacggtctc aacttctctc tgaatgacag ctacagggga atgagcggca gcaacggcga 50
696 qaaatctgga aac atg gaa cgc gaa cgc gac acc atc ctg aat acc atg 110
697 Met Gly Arg Ala Arg Asp Ala Ile Leu Asp Ala Leu
698 1 5 10
700 gag aac ctg aac gaa gaa gaa ctc aag aag ttc aag ctg aag ctg ctg 158
701 Glu Asn Leu Thr Ala Glu Glu Leu Lys Lys Phe Lys Leu Lys Leu Leu
702 15 20 25
704 tct gtc cca cta cgc aag ggc tac gga cgc atc ccg cgg ggc ggc ctg 200
705 Ser Val Pro Leu Arg Gln Gly Thr Gly Arg Ile Pro Arg Gly Ala Leu
706 30 35 40
708 ctg tcc atg aac aa tta gac ctc acc aac aag ctg gtc agc ttc tac 254
709 Leu Ser Met Asp Ala Leu Asp Leu Thr Asp Lys Leu Val Ser Phe Tyr
710 45 50 55 60
712 ctg gag acc taa gaa ttc aag ctc acc gct aac atg ctg cgc gac atg 302
713 Leu Glu Thr Ter Glu Ala Glu Leu Thr Ala Asn Val Leu Arg Asp Met
714 65 70 75
716 ggc ctg caa aac aca gaa aca aca cta caa gca gcc aca cca caa gcc 350
717 Gly Leu Glu Glu Met Ala Gly Gln Leu Gln Ala Ala Thr His Gln Gly
718 80 85 90
720 tct gga gcc gaa gaa ttc gaa atc cag gcc cct cct cag tca gca gca 398
721 Ser Gly Ala Ala Pro Ala Gly Ile Gln Ala Pro Pro Gln Ser Ala Ala
722 95 100 105
724 aag cca g 405
725 Lys Pro
E--> 726 110

```

See next page for more errors

09/69,763

3

<210> 23
 <211> 171
 <212> PRT
 <213> Rattus Norvegicus

<400> 23
 Phe Lys Ile Lys Leu Leu Thr Ala Pro Val Arg Glu Gly Tyr Gly Arg
 1 5 10 15
 Ile Pro Arg Gly Ala Leu Leu Gln Met Asp Pro Ile Asp Leu Thr Asp
 20 25 30
 Lys Leu Val Xaa Tyr Tyr Leu Glu Gly Tyr Gly Leu Glu Leu Thr Met
 35 40 45
 Thr Val Leu Arg Asp Met Gly Ile Gln Glu Leu Ala Glu Gln Leu Gln
 50 55 60
 Lys Ile Met Glu Glu Ser Gly Ala Val Ala Thr Ala Thr Ser Val Pro
 65 70 75 80
 Ala Gln Gly Thr Ala Arg Thr Glu His Phe Val Asp Gln His Arg Gln
 85 90 95
 Ala Leu Ile Ala Arg Val Thr Glu Val Asp Gly Leu Leu Asp Ala Leu
 100 105 110
 Tyr Gly Asn Val Leu Thr Glu Gly Gln Tyr Gln Ala Val Arg Ala Glu
 115 120 125
 Thr Thr Asn Gln Asn Lys Met Arg Lys Leu Phe Ser Phe Ala Pro Ala
 130 135 140
 Trp Asn Leu Thr Cys Lys Asn Leu Phe Leu Glu Ala Leu Arg Gln Thr
 145 150 155 160
 Gln Pro Tyr Leu Val Thr Asp Leu Glu Gln Ser
 165 170

see
 item 10
 on Enov
 summary
 sheet

FYI

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

VERIFICATION SUMMARY
PATENT APPLICATION: US/09/691,763

DATE: 10/27/2000
TIME: 10:01:35

Input Set : A:\E03557003.txt
Output Set: N:\CRF3\10272000\I691763.raw

L:11 M:270 C: Current Application Number differs, Replaced Current Application No
L:11 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:223 M:252 E: No. of Seq. differs, <211>LENGTH:Input:339 Found:340 SEQ:5
L:260 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 7
L:260 M:252 E: No. of Seq. differs, <211>LENGTH:Input:58 Found:57 SEQ:7
L:306 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 9
L:527 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:22
L:527 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:22
L:559 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 22
L:575 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:23
L:575 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:23
L:726 M:252 E: No. of Seq. differs, <211>LENGTH:Input:414 Found:405 SEQ:26